

Application No.: 10/797890

Case No.: 59474US002

**REMARKS**

Claims 1-16 are pending. Applicants respectfully request reconsideration of claims 1-16 in view of the following remarks.

**I. Claims 1-4 and 13 are Novel in view of Manens et al.**

Claims 1-4 and 13 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Manens et al. (U.S. Pat. No. 6,848,970). Applicants request reconsideration of this rejection because Manens et al. do not teach or suggest "an electrical insulator configured to isolate the abrasive surface" from at least one electrode of the electrical source as recited in Applicants' claims.

Manens et al. report a method for electrochemically assisted chemical mechanical polishing. Manens et al. report that a conditioning device may be provided to regenerate the pad assembly (col. 12, lines 16-34). The conditioning element "is typically a diamond or silicon carbide disk, which may be patterned" (col. 12, lines 25-26). The Office Action alleges that the conditioning pad reported by Manens et al. is insulated because it is "formed of diamond or silicon carbide which is patterned to be abrasive" and "which are dielectric materials which are therefore insulative". Applicants disagree. In the context reported by Manens et al., the terms diamond or silicon carbide conditioning disks are understood to characterize the abrasive particles that make-up the conditioning element, not the article itself (i.e., a conditioning element made only of diamond). The diamond or silicon carbide abrasive particles are typically held together in a matrix, such as, for example, a metal matrix. Accordingly, the inclusion of diamonds or silicon carbide in these abrasive surfaces (i.e., the combination of abrasive particles and matrix material), does not indicate or suggest that the abrasive surface can function as an insulator.

Further, Applicants claims recite that an electrical insulator is configured to "isolate the abrasive surface" from at least one electrode. Assuming, *arguendo*, that the abrasive surface reported by Manens et al. could somehow be considered an insulating material, it is unclear how this could be considered to "isolate the abrasive surface". In order to isolate the abrasive surface from an electrode, an insulator would need to be positioned between the electrode and the

5

Application No.: 10/797890

Case No.: 59474US002

abrasive surface. In other words, if current in an electrode is allowed to flow to the abrasive surface, the abrasive surface is not isolated from that electrode.

Manens et al. simply fail to teach or suggest "an electrical insulator configured to isolate the abrasive surface" from at least one electrode of the electrical source. Accordingly, the rejection of claims 1-4 and 13 under 35 U.S.C. § 102(e) as allegedly being anticipated by Manens et al. should be withdrawn.

**II. Conclusion**

Applicant notes with appreciation the indication of allowable subject matter in claims 5-12 and 14-16. In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. The Examiner is invited to contact Applicant's undersigned representative with any questions concerning Applicant's application.

Respectfully submitted,

October 7, 2005  
Date

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6

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